

FAMILY TEMPORARY DISABILITY INSURANCE

In 2002, new legislation (Senate Bill 1661) extended disability compensation to individuals who take time off work to care for a seriously ill child, spouse, parent, domestic partner, or to bond with a new child.

This paid family leave program, known as Family Temporary Disability Insurance (FTDI), is being administered by the State Employment Development Department's (EDD) Disability Insurance Branch.

Employee contributions (withholdings) for FTDI begin **January 1, 2004**, and benefits can be paid for FTDI claims that begin on or after **July 1, 2004**. No more than six weeks of FTDI benefits may be paid within any 12-month period.

Coverage and Benefits

The FTDI is a component of the State Disability Insurance (SDI) program and, thus, those workers covered by SDI also will be covered for FTDI. Workers who are covered by a Voluntary Plan for SDI will be covered for FTDI through their Voluntary Plan.

Benefits are payable for FTDI claims that begin on or after **July 1, 2004**. Weekly benefits will range from \$50 to \$728 for claims beginning July 1, 2004. The maximum claim benefit is six times the weekly benefit amount. No more than six weeks of FTDI benefits may be paid within any 12-month period.

Eligibility Requirements

- An employee may file a claim for FTDI benefits for the following reasons:
 - To care for a seriously ill child, spouse, parent, or domestic partner;
 - To bond with the employee's new child or the new child of the employee's domestic partner; or
 - To bond with a child who is placed with the employee in connection with the adoption or foster care placement of the child with the employee or the employee's domestic partner.

- A medical certificate is required when an FTDI claim is filed to provide care for a seriously ill family member. The certificate must include a diagnosis and International Classification of Diseases code; the commencing date of the disability; the probable duration; the estimated time care is needed; and state that the serious health condition warrants care. This includes "providing psychological comfort" and arranging "third party care."
- For bonding, FTDI is limited to the first year after the birth, adoption, or foster care placement of a child. A separate certification must be completed for leave associated with the birth, adoption, or foster care placement of a child.
- There is a seven-day waiting period before benefits are paid. In addition, the employer may require the employee to use up to two weeks vacation leave prior to receiving FTDI benefits. The first week of vacation can be used during the waiting period.
- Individuals cannot receive FTDI while receiving SDI, Unemployment Insurance, or Workers' Compensation benefits.
- An individual is not eligible for FTDI for any day that another family member is able and available for the same period of time that the individual is providing the required care.
- An individual who is entitled to leave under the federal Family Medical Leave Act and the California Family Rights Act must take FTDI leave concurrent with leave taken under those acts. (For information on the California Family Rights Act, see the State Department of Fair Employment and Housing's Web site at www.dfeh.ca.gov.)

Claim Form and Informational Brochure

The FTDI benefit claim form will be available in March 2004. An FTDI information brochure for employees will be available in October 2003. Employers must provide

this brochure to new employees beginning January 1, 2004. Employers also must provide this brochure to employees leaving work on or after July 1, 2004, due to the need to provide care for a sick or injured family member or to bond with a new child.

Funding

The FTDI program is funded entirely through worker contributions. To cover the initial cost of FTDI benefits, the SDI rate will increase by .08 percent in 2004 and 2005. This increase extends through calendar year 2005. Thereafter, there is no provision for an increase

specifically for FTDI. The SDI rate calculation will be based on funding needs for both benefit programs. The SDI taxable wage limit for 2004 will be \$68,829. The SDI taxable wage limit for 2005 will be \$79,418. Any earnings over this amount are not subject to FTDI or SDI withholdings.

For More Information

For additional information on the FTDI program, visit our Internet site at **www.edd.ca.gov**, or call 1-800-480-3287. TTY access is available at 1-800-563-2441.